



## FEDERAL TRADE COMMISSION

### 16 CFR Chapter I

#### Regulatory Review Schedule

**AGENCY:** Federal Trade Commission.

**ACTION:** Notification of intent to request public comments.

**SUMMARY:** As part of its ongoing, systematic review of all Federal Trade Commission rules and guides, the Commission announces a modified ten-year regulatory review schedule. No Commission determination on the need for, or the substance of, the rules and guides listed below should be inferred from this notification.

**DATES:** [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Further details about particular rules or guides may be obtained from the contact person listed below for the rule or guide. For information about this document, please contact Jock Chung (202-326-2984), Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, 600 Pennsylvania Avenue NW, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** To ensure its rules and industry guides remain relevant and not unduly burdensome, the Commission reviews them on a ten-year schedule. Each year the Commission publishes its review schedule, with adjustments made in response to public input, changes in the marketplace, and resource demands.

When the Commission reviews a rule or guide, it publishes a document in the *Federal Register* seeking public comment on the continuing need for the rule or guide, as well as the rule's or guide's costs and benefits to consumers and businesses. Based on this feedback, the Commission may modify or repeal the rule or guide to address public concerns or changed conditions, or to reduce undue regulatory burden.

The Commission posts information about its review schedule on its website<sup>1</sup> to facilitate comment. This website contains an updated review schedule, a list of rules and guides previously eliminated in the regulatory review process, and the Commission's regulatory review plan.

### **Modified Ten-Year Schedule for Review of FTC Rules and Guides**

For 2022, the Commission intends to initiate a review of, and solicit public comments on, the following guide and rule:

(1) Guides for the Use of Environmental Marketing Claims, 16 CFR Part 260.

Agency Contacts: Hampton Newsome, (202) 326-2889, Julia Ensor, (202) 326-2377, Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, 600 Pennsylvania Ave., NW, Washington, DC 20580.

(2) Business Opportunity Rule, 16 CFR Part 437. Agency Contact: Christine

Todaro, (202) 326-3711, Federal Trade Commission, Bureau of Consumer Protection, Division of Marketing Practices, 600 Pennsylvania Ave., NW, Washington, DC 20580.

The Commission is currently reviewing 16 of the 63 rules and guides within its jurisdiction. During 2021, it completed reviews of eight rules: 16 CFR part 313, Privacy of Consumer Financial Information; 16 CFR part 317, Prohibition of Energy Market Manipulation Rule; 16 CFR part 640, Duties of Creditors Regarding Risk-Based Pricing; 16 CFR part 641, Duties of Users of Consumer Reports Regarding Address Discrepancies; 16 CFR 642, Prescreen Opt-Out Notice; 16 CFR 660, Duties of Furnishers of Information to Consumer Reporting Agencies; 16 CFR part 680, Affiliate Marketing; and 16 CFR part 698, Model Forms and Disclosures. Additionally, in 2021, the Commission issued a new rule, 16 CFR part 323, Made in USA Labeling. The Commission is scheduling these rules for review in 2031. The Commission is postponing

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<sup>1</sup> <https://www.ftc.gov/enforcement/rules/retrospective-review-ftc-rules-guides>.

review of the following matters previously scheduled for review in 2022 until 2027:

Guides Against Deceptive Pricing, 16 CFR part 233; Guides Against Bait Advertising, 16 CFR part 238; and Guide Concerning Use of the Word “Free” and Similar Representations, 16 CFR part 251.

The Commission has appended a copy of its modified regulatory review schedule, indicating initiation dates for reviews through 2031. The Commission, in its discretion, may modify or reorder the schedule in the future to incorporate new rules, or to respond to external factors (such as changes in the law) or other considerations.

**AUTHORITY:** 15 U.S.C. 41-58.

By direction of the Commission.

**Joel Christie,**

*Acting Secretary.*

## Appendix

### REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE

<b>16 CFR PART</b>	<b>TOPIC</b>	<b>YEAR TO INITIATE REVIEW</b>
24	Guides for Select Leather and Imitation Leather Products	Currently Under Review
255	Guides Concerning Use of Endorsements and Testimonials in Advertising	Currently Under Review
308	Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 [Pay Per Call Rule]	Currently Under Review
310	Telemarketing Sales Rule	Currently Under Review
312	Children's Online Privacy Protection Rule	Currently Under Review
314	Standards for Safeguarding Customer Information	Currently Under Review
318	Health Breach Notification Rule	Currently Under Review
423	Care Labeling of Textile Wearing Apparel and Certain Piece Goods	Currently Under Review
432	Power Output Claims for Amplifiers Utilized in Home Entertainment Products	Currently Under Review
436	Disclosure Requirements and Prohibitions Concerning Franchising	Currently Under Review
453	Funeral Industry Practices	Currently Under Review
456	Ophthalmic Practice Rules (Eyeglass Rule)	Currently Under Review

<b>16 CFR PART</b>	<b>TOPIC</b>	<b>YEAR TO INITIATE REVIEW</b>
681	Identity Theft [Red Flag] Rules	Currently Under Review
698	Model Forms and Disclosures	Currently Under Review
801	[Hart-Scott-Rodino Antitrust Improvements Act] Coverage Rules	Currently Under Review
802	[Hart-Scott-Rodino Antitrust Improvements Act] Exemption Rules	Currently Under Review
803	[Hart-Scott-Rodino Antitrust Improvements Act] Transmittal Rules	Currently Under Review
437	Business Opportunity Rule	2022
260	Guides for the Use of Environmental Marketing Claims	2022
254	Guides for Private Vocational and Distance Education Schools	2023
309	Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles	2023
429	Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations	2023
20	Guides for the Rebuilt, Reconditioned, and Other Used Automobile Parts Industry	2024
240	Guides for Advertising Allowances and Other Merchandising Payments and Services [Fred Meyer Guides]	2024
300	Rules and Regulations under the Wool Products Labeling Act of 1939	2024
301	Rules and Regulations under Fur Products Labeling Act	2024
303	Rules and Regulations under the Textile Fiber Products Identification Act	2024

<b>16 CFR PART</b>	<b>TOPIC</b>	<b>YEAR TO INITIATE REVIEW</b>
425	Use of Prenotification Negative Option Plans	2024
435	Mail, Internet, or Telephone Order Merchandise	2024
424	Retail Food Store Advertising and Marketing Practices [Unavailability Rule]	2024
239	Guides for the Advertising of Warranties and Guarantees	2025
306	Automotive Fuel Ratings, Certification and Posting	2025
305	Energy Labeling Rule	2025
444	Credit Practices	2025
500	Regulations under Section 4 of the Fair Packaging and Labeling Act	2025
501	Exemptions from Requirements and Prohibitions under Part 500	2025
502	Regulations under Section 5(c) of the Fair Packaging and Labeling Act	2025
503	Statements of General Policy or Interpretation [under the Fair Packaging and Labeling Act]	2025
700	Interpretations of Magnuson-Moss Warranty Act	2025
701	Disclosure of Written Consumer Product Warranty Terms and Conditions	2025
702	Pre-Sale Availability of Written Warranty Terms	2025
703	Informal Dispute Settlement Procedures	2025
304	Rules and Regulations under the Hobby Protection Act	2026
455	Used Motor Vehicle Trade Regulation Rule	2026

<b>16 CFR PART</b>	<b>TOPIC</b>	<b>YEAR TO INITIATE REVIEW</b>
233	Guides Against Deceptive Pricing	2027
238	Guides Against Bait Advertising	2027
251	Guide Concerning Use of the Word “Free” and Similar Representations	2027
259	Guide Concerning Fuel Economy Advertising for New Automobiles	2027
682	Disposal of Consumer Report Information and Records	2027
23	Guides for the Jewelry, Precious Metals, and Pewter Industries	2028
311	Test Procedures and Labeling Standards for Recycled Oil	2028
460	Labeling and Advertising of Home Insulation	2028
316	CAN-SPAM Rule	2029
433	Preservation of Consumers’ Claims and Defenses [Holder in Due Course Rule]	2029
315	Contact Lens Rule	2030
313	Privacy of Consumer Financial Information	2031
317	Prohibition of Energy Market Manipulation Rule	2031
323	Made in USA Labeling	2031

<b>16 CFR PART</b>	<b>TOPIC</b>	<b>YEAR TO INITIATE REVIEW</b>
640	Duties of Creditors Regarding Risk-Based Pricing	2031
641	Duties of Users of Consumer Reports Regarding Address Discrepancies	2031
642	Prescreen Opt-Out Notice	2031
660	Duties of Furnishers of Information to Consumer Reporting Agencies	2031
680	Affiliate Marketing	2031
698	Model Forms and Disclosures	2031

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